

# **EXHIBIT A-13**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

NICKELS AND DIMES INC.	)	
	)	
Plaintiff,	)	
	)	CASE NO. 3:23-cv-699
v.	)	
	)	
NOAH'S ARCADE, LLC d/b/a FULL TILT,	)	
BEN KONOWITZ, AND RYAN HART	)	
	)	
Defendants.	)	

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DEFENDANTS' SUPPLEMENTAL INTERROGATORY ANSWERS

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**INTERROGATORY NO. 2:** Identify all goods and services offered for sale, sold, provided or intended to be offered for sale, sold, or provided by or for Defendant in the United States under or in connection with the Challenged Mark.

**Answer:** Full Tilt Arcade & Pinball is a physical location arcade located in La Porte, Indiana. The arcade includes various arcade games and pinball machines that are enjoyed by customers of all ages. From time to time, Full Tilt Arcade & Pinball acquires new arcade games and pinball machines, and in turn, sells older arcade games and pinball machines. Full Tilt Arcade & Pinball owners, Ryan Hart and Ben Konowitz, sell the arcade and pinball machines through their personal Facebook pages, Facebook Marketplace, or [www.pinside.com](http://www.pinside.com). Additionally, Ryan Hart and Ben Konowitz have sold arcade games and pinball machines through an auction on one occasion.

**Supplemental Answer:** The items identified previously in response to request for production #7 as "merchandise" utilize "Full Tilt." The categories are T-shirts, Hooded Sweatshirts, Can Koozie, lanyards, and staff t-shirts and hooded sweatshirts. The response to Ex. 7 contains the quantity ordered and the price of each item. Total value of all of the merchandise sold was \$2,612.05. However, items were discounted in the amount of \$397.18, for net sales of \$2,214.87. Full Tilt does not keep a breakdown of the sales of each individual piece of merchandise, but rather in the "merchandise" category as a whole.

**INTERROGATORY NO. 4:** For each good or service required to be identified in response to Interrogatory No. 3, state the suggested or expected retail price of the good or service.

**Answer:** Full Tilt Arcade & Pinball is a physical location arcade located in La Porte, Indiana. Customers must be physically present at the arcade to enjoy the use of the arcade. Full Tilt Arcade & Pinball uses a card system to charge customers to play arcade games and pinball. Cards start at \$10.00, which gives a customer 40 credits. Most arcade games and pinball machines cost between 1-4 credits. Some premium pinball machines are 6 credits to play.

**Supplemental Answer:** See Supplemental Response to Interrogatory No. 2 and Response to Request for Production #7.

**INTERROGATORY NO. 6:** Describe all channels of trade in the United States through which Defendants has offered for sale, sold, or provided or intends to offer for sale, sell, or provide goods or services under or in connection with the Challenged Mark.

**Answer:** Full Tilt Arcade & Pinball is a physical location arcade located in La Porte, Indiana. Customers must be physically present at the arcade in La Porte, Indiana to play arcade games and pinball. The owners of Full Tilt Arcade & Pinball infrequently sell old machines on their personal Facebook page. In addition, Full Tilt has advertised pinball tournaments on Matchplaypinball.com and IFPApinball.com. Merchandise may also be purchased in the store's physical location.

**INTERROGATORY NO. 7:** Describe the actual purchasers of and the target purchasers of goods or services sold or planned or intended to be sold by Defendant under or in connection with the Challenged Mark.

**Answer:** Families with children who live near La Porte, Indiana and the Full Tilt Arcade & Pinball location. In addition, Full Tilt will occasionally host pinball tournaments which is announced on Matchplaypinball.com and IFPApinball.com. Full Tilt will have a few players from as far away as Fort Wayne, Indiana, who may participate in the pinball tournaments. Full Tilt's actual target market is La Porte, Indiana, and immediate environs which generally consist of La Porte County, Indiana. Full Tilt also has a Facebook/Meta page.

I hereby swear or affirm under the penalties of perjury that the above and foregoing statements are true and accurate to the best of my knowledge and belief.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Name

Respectfully submitted,

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**Certificate of Service**

I certify that a true and exact copy of the foregoing was served upon all parties of record this 12<sup>th</sup> day of April 2024, via email:

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